

OLL 85-1606/1
30 July 1985

MEMORANDUM FOR: DD/PA&E/OP

FROM:

Chief, Legislation Division/OLL

STAT

SUBJECT: Possible Legislative Initiative on Annual Leave

1. I am responding to your memorandum of 7 June 1985 to Chuck Briggs concerning a "Possible Legislative Initiative on Annual Leave".

2. We appreciate the obvious equitable appeal of your proposal. Unfortunately, it is not possible at this point to seek legislation on this subject during the remainder of this year. In order that the matter can be considered for future action, we recommend that it be submitted for inclusion in the Agency's Legislation Program for FY-87. A request for items to be included in that Program will be made later this month. If it is determined that the item is to be included in the Program, its inclusion in the Intelligence Authorization Act for Fiscal Year 1987 can then be considered.

3. Before a determination is made to seek legislative relief in this area, however, I would recommend that we address the following questions:

- 1) Is it possible to create such a program under existing Agency authority, specifically Section 8?
- 2) If not, what additional authority needs to be obtained and/or specific existing provisions of law waived or modified?
- 3) Is there a long-standing prohibition against this type of leave sharing in federal personnel law and/or policy?
- 4) If so, what rationale should be invoked for an Agency exception?
- 5) Is this problem unique to the Agency?

6) If not, should the initiative be government-wide, or at least Intelligence Community-wide?

7) What is the current position of the Office of Personnel Management on this issue?

4. These questions will surely be raised by OMB during Administration coordination on this legislation and by the Congressional committees reviewing the legislation.

5. At your convenience, I would suggest that we meet to discuss this initiative and consider possible courses of action in this area.



STAT

Distribution:

Original - Leg/Sub - Misc. Pers.

1 - D/OLL

1 - DD/OLL

1 - OLL/LD -

1 - SWH Signer

1 - JBM Signer

OLL/LEG (14 August 1985)

STAT

STAT